

## UNITED STATES DISTRICT COURT

for the

\_\_\_\_\_ District of \_\_\_\_\_

\_\_\_\_\_  
*Plaintiff*

v.

\_\_\_\_\_  
*Defendant*)  
)  
)  
)  
)

Civil Action No.

**SUBPOENA TO APPEAR AND TESTIFY  
AT A HEARING OR TRIAL IN A CIVIL ACTION**

To:

\_\_\_\_\_  
*(Name of person to whom this subpoena is directed)*

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place:

Courtroom No.:

Date and Time:

You must also bring with you the following documents, electronically stored information, or objects *(leave blank if not applicable)*:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

*CLERK OF COURT*

OR

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*\_\_\_\_\_  
*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* \_\_\_\_\_  
\_\_\_\_\_, who issues or requests this subpoena, are:

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

**AFFIDAVIT OF NON-SERVICE**

UNITED STATES DISTRICT COURT  
Western District of New York

Index Number: 15-CV-701 (FPG)

Date Filed: \_\_\_\_\_

Plaintiff:

**Douglas J. Horn**

vs.

Defendants:

**Medical Marijuana, Inc., Dixie Elixirs, et al.**

For:

The Linden Law Group, P.C.

5 Penn Plaza

23rd Floor

New York, NY 10001

Received by Front Range Legal Process Service to be served on **Tripp Keber, 2990 S. Clermont Drive, Denver, CO 80222.**

I, Derek Minto, being duly sworn, depose and say that on the **8th day of July, 2021 at 9:00 pm, I:**

after due search, careful inquiry and diligent attempts was unable to serve the **Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action; \$43.75 Witness Fee on Tripp Keber** for the reasons detailed in the comments below.

**Additional Information pertaining to this Service:**

4 attempts were made to the home address and we have been unable to make contact with anyone here. There have been lights on inside, but no activity in the home. We can see into several rooms of the house and there does not appear to have been anyone home. There is also a ring doorbell and camera on the property.

7/1 6:30 pm - no answer.

7/2 7:36 pm - no answer. Lights on inside.

7/6 8:54 pm - no answer. Lights on inside.

7/8 12:25 pm - no answer.



**AFFIDAVIT OF NON-SERVICE For 15-CV-701 (FPG)**

I certify that I am over the age of 18, have no interest in the above action. Service was made pursuant to the rules and regulations of the State of Colorado.


Subscribed and Sworn to before me on the 9th  
day of July, 2021 by the affiant who is personally  
known to me

NOTARY PUBLIC

My commission expires

8/22/22

HEATHER HEATH  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184032275  
MY COMMISSION EXPIRES AUGUST 22, 2022

  
Derek Minto  
Process Server

Front Range Legal Process Service  
145 W. Swallow Road  
Fort Collins, CO 80525  
(970) 267-9109

Our Job Serial Number: FRS-2021004673  
Service Fee: \_\_\_\_\_